

Applicant: Chavez Family Limited Partners

Agent: Molly Sepulveda

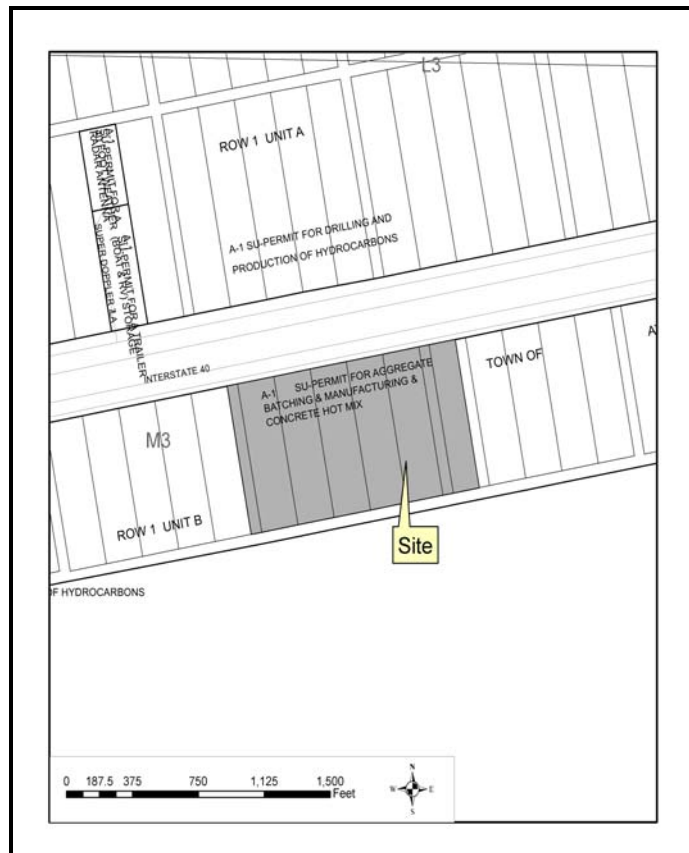
Location: 16400 S. Frontage Road SW

Property Size: 21.6 acres

Existing Zone: A-1

Proposed Request: Special Use Permit for Asphalt and Batching Plant and a new Special Use Permit for a Contractor's Yard including vehicle maintenance

Recommendation: Deferral



Summary: The applicant is requesting a Special Use Permit for Asphalt and Batching Plant and a new Special Use Permit for a Contractor's Yard including vehicle maintenance. The applicant acquired the initial Special Use Permit for Manufacturing of Asphaltic Concrete Hot Mix October 6, 1995 and was granted an extended approval of a Special Use Permit for a Specific Use for Aggregate Batching and Manufacturing and Concrete Hot Mix on June 26, 2001. The Special Use Permit was issued for 5 years and expires June 26, 2006.

Staff Planner: Adella Gallegos, Associate Program Planner

- Attachments:**
1. Application
 2. Land Use Map
 3. Notice of Decision Letters (1995 and 2001)
 4. Correspondence dated 5/18/06
 5. Site Plan (Commissioners' Only)

Bernalillo County Departments and other interested agencies reviewed this application from 4-25-06 to 5-15-06. Agency comments were used in preparation of this report, which being on page 11.

AGENDA ITEM NO.: 13
County Planning Commission

CSU-60027 Molly Sepulveda, agent for Chavez Family Limited Partners, requests renewal of a Special Use Permit for Asphalt and Batching Plant and a new Special Use Permit for a Contractor's Yard including vehicle maintenance on Tracts 181 – 186, Row 1, Unit B, located at 16400 S. Frontage Road SW, on the south side of I-40 approximately 3 miles west of Paseo del Volcan, zoned A-1, containing approximately 21.6 acres. (M-3)

AREA CHARACTERISTICS AND ZONING HISTORY

Surrounding Zoning & Land Uses

Site	Zoning	Land Use
	A-1 w/Special Use Permit for a Specific Use for Aggregate Batching and Manufacturing of Concrete Hot Mix	Batching Plant under construction, four storage trailers, construction trailer and stock piles
North	A-1 w/a Special Use Permit for a 40 Ft Weather Radar Antenna, a Special Use Permit for a Trailer (Boat & RV) Storage and a Special Use Permit for Drilling and Production of Hydrocarbons	Frontage Road/I-40 A 40 foot Weather Radar Antenna and Trailer, Boat and RV Storage
South	A-1	Vacant
East	A-1	Vacant
West	A-1	Vacant

BACKGROUND:

The subject site is located on the south side of the Frontage Road, approximately 2.5 miles west of the Central and I-40 Interchange. The property is currently undergoing development for the proposed asphalt and batch plant noted as item 16 on the site plan with the majority of the site slated for future development.

The applicant is requesting a continuance of their current Special Use Permit. The proposed site plan is essentially the same site plan previously approved with the addition of items 21, 22 and 23.

Surrounding Land Use and Zoning

Recent land use activity in the area include number of Special Use Permits all located north of the site north of the I-40 Interchange: 1) Special Use Permit for a Forty-foot Weather Radar Antenna (Super Doppler 7) located northwest of the area (CSU-97-14); 2) Special Use Permit for a Trailer (Boat and RV) Storage also northwest of the area (CZ-30017); and 3) Special Use Permit for drilling and production of hydrocarbons that encompasses approximately 315 acres located north and west of the proposed site that allows for drilling a series of natural gas wells.

To the east and west of the site exist 5 acre tracts zoned A-1 and vacant. Directly contiguous to the south of the site is unplatted, vacant A-1 zoned land. This unplatted land is currently pursuing approval of a community master plan (Zacate Master Plan – SPR-50010).

APPLICABLE PLANS AND POLICIES:

Albuquerque/Bernalillo County Comprehensive Plan

This site is situated in the Reserve Area as designated by Albuquerque/Bernalillo County Comprehensive Plan. The Goal of this area is to allow opportunity for future development of high quality, mixed use, largely self-sufficient planned communities, bounded by permanent open space, in appropriate outlying areas, and to protect the non-urban metropolitan areas as rural unless such planned communities are developed.

Policy 2.c states that “Development within Reserve Areas shall take place either in accordance with an approved planned community master plan (up to three dwelling units per acre), or in accordance with the standards applicable to Rural Areas.”

Policy 2.d states that “A planned community master plan approved in accordance with this section and more specific development criteria shall serve to implement the Comprehensive Plan. A planned community master plan shall not be approved if it fails to demonstrate its own sense of place, self-sufficiency, environmental sensitivity, separation from the contiguous Albuquerque urban area by permanent open space and the provision of infrastructures which is not a net expense to the local government(s).”

Policy 3.g, Rural Area, states that “The following policies shall guide industrial and commercial development in Rural Areas:

- . Small-scale, local industries which employ few people and may sell products on The same premises are the most desirable industrial use.

- . Mineral extractions should be discouraged in highly scenic or prime recreational, agricultural or residential areas.
- . Where mineral extractions and industrial development occurs, noise and pollution levels should be regulated and restoration of the land should be required.
- . Neighborhood and/or community-scale rather than regional-scale commercial centers are appropriate for rural areas. Strip commercial development should be discouraged and, instead, commercial development should be clustered at major intersections and within designated mountain and valley villages."

Policy 6 Economic Development Goal is to achieve stead and diversified economic development balanced with other important social, cultural and environmental goals."

Policy 6.a. states, "New Employment opportunities which will accommodate a wide range of occupational skills and salary levels shall be encouraged and new jobs located convenient to the areas of most need."

Policy 6.b. states, "Development of local business enterprises as well as the recruitment of the outside firms shall be emphasized."

Policy 6.g states, "Concentrations of employment and Activity Centers should be promoted in an effort to balance jobs with housing and population and reduce the need to travel."

West Side Strategic Plan

The subject site is located in the Far West Mesa Future Communities area of the West Side Strategic Plan. "It is envisioned as a future growth area capable of developing as 3-5 separate planned communities, but its capacity is not need in the next 50 years of growth in the metropolitan area."

Policy 3.74: Bernalillo County shall enforce the existing regulations requiring any development within the Far West Mesa area to be developed as Planned Communities. It is the intent of this Plan that this area not develop until all other Communities on the West side area substantially built out, which may not be foe more than 50 years.

Southwest Area Plan

The subject site is located in Residential Area 1 of the Southwest Area Plan.

Policy 5 states, "As development occurs in the Plan area, provision shall be made to ensure erosion is controlled during and after construction. Runoff and erosion controls shall be developed throughout Soil Conservation Service Zone 3 & 4 to protect Zone 5.

Policy 28 states, "The areas located between I-25 and Second Street and the area south of I-40 and west of Paseo Del Volcan shall be used as primary employment because of their location to transportation facilities (rail and highway)."

Policy 29 states, "All land uses in the plan area, which are or reflect a M-1 or M-2 land use shall require a detailed site plan and landscape plan, including phasing (if applicable).

Policy 41 states, "Balance economic development and quality of life for existing communities as well as for newly developed areas."

Policy 42 states, "Industrial development shall be in accordance with existing environmental and geological conditions."

Policy 43 states, "Industrial development shall benefit Area Plan residents through community reinvestment efforts such as providing employment to local residents, and building an attractive and competitive business atmosphere."

Policy 45 states, "Emphasize job creation and expansion of employment opportunities for the residents of the Southwest Area Plan."

Bernalillo County Zoning Ordinance

Resolution 116-86 defines criteria for evaluating a Zone Map changes and Special Use Permit applications.

The following policies for deciding zone map changes and Special Use Permit applications pursuant to the adopted Bernalillo County Zoning Ordinance.

- A. A proposed land use change must be found to be consistent with the health, safety and general welfare of the residents of the County.
- B. The cost of land or other economic considerations pertaining to the applicant shall not be the determining factor for a land use change.
- C. A proposed land use change shall not be in significant conflict with adopted elements of the Comprehensive Plan of other Master Plans and amendments thereto including privately developed area plans which have been adopted by the Board of County Commissioners.
- D. Stability of the land use and zoning is desirable; therefore, the applicant must provide a sound justification for land use change. The burden is on the applicant to show why the change should be made.
- E. The applicant must demonstrate that the existing zoning is inappropriate because:
 - 1. An error in the original zone map.
 - 2. Changed neighborhood conditions, which justifies a change in land use or
 - 3. That a different use category is more advantageous to the community as articulated in the Comprehensive Plan or other land use plans as adopted by the Board of County Commissioners.
- F. A land use change shall not be approved where some of the permissive uses in the land use change would be harmful to adjacent property, the neighborhood or the community.

- G. Location on a collector or major street is not itself sufficient justification of apartment, office, or commercial zoning.
- H. A zone change request which would give a zone different from the surrounding zoning to one small area, especially when only one premises is involved, is generally called a "spot zone." Such a change of zone may be approved only when:
 - 1. The change will clearly facilitate revitalization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 - 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.
- I. A zone change request, which would give a zone different from the surrounding zoning to a strip of land along a street, is generally called a "strip zoning." Such a change of zone may be approved only when:
 - 1. The change will clearly facilitate realization of the Comprehensive Plan and any applicable adopted sector development plan or area development plan; or
 - 2. The area of the proposed zone change is different from surrounding land because it could function as a transition between adjacent zones, because the site is not suitable for the uses allowed in any adjacent zone due to topography, traffic, or special adverse land uses nearby; or because the nature of structures already on the premises makes the site unsuitable for the uses allowed in any adjacent zone.

Section 18. Special Use Permit Regulations.

- A. By Special Use Permit after receipt of a recommendation from the Bernalillo County Planning Commission, the Board of County Commissioners may authorize the location of uses in any zone in which they are not permitted by other sections of this ordinance; the Bernalillo County Commission may likewise authorize the increase in height of buildings beyond the limits set by previous sections of this ordinance. With such permits, the Bernalillo County Commission may impose such conditions and limitations as it deems necessary:
 - 1. To ensure that the degree of compatibility of property uses which this section is intended to promote and preserve shall be maintained with respect to the special use on the particular site and consideration of existing and potential uses of property within the zone and the general area in which the use is proposed to be located;
 - 2. To ensure that the proper performance standards and conditions are, whenever necessary, imposed upon uses which are, or which reasonably may be expected to become,

obnoxious, dangerous, offensive or injurious to the health, safety, or welfare of the public, or a portion thereof, by reason of the emission of noise, smoke, dust, fumes, vibration, odor, or other harmful or annoying substances;

3. To preserve the utility, integrity and character of the zone in which the use will be located, without adversely affecting adjacent zones; and
4. To ensure that the use will not be or become detrimental to the public interest, health, safety, convenience, or the general welfare.

Section 19: Landscaping and Buffer Landscaping Regulations:

Where a nonresidential zone which is hereafter developed for a business purpose abuts a residentially zoned property, special buffer landscaping is required to minimize noise, lighting and sight impact of the nonresidential activities in the residential area.

A. Landscaping and buffer landscaping will be required in all zones for office, commercial, industrial, and multifamily residential uses; R-1, A-1, A-2 and M-H residential uses are exempt.

1. Sites of one acre or less:

- a. There shall be a landscaped setback along all streets of no less than ten feet.
- b. There shall be a landscaped buffer of six feet between single-family residential uses and office, commercial, industrial, and multifamily residential uses.
- c. Fifteen percent of all paved areas shall be landscaped. The landscaped setback shall contribute toward this requirement.

2. Sites one acre and up to five acres. There shall be a landscaped setback along all streets of no less than 15 feet. All other requirements same as 1.b. and 1.c. above.

B. In a nonresidential zone, a solid wall or a solid fence at least six feet high shall be erected on sides abutting a single-family residential use, except for those sides abutting public right-of-way.

E. Landscaping which dies shall be replaced by the property owner who is obligated to provide it as expeditiously as possible, but in no case longer than 30 days after notification. If the 30-day period falls at a time of the year when planting of landscaping is inadvisable, a waiver may be granted by the Zoning Administrator to allow planting at the earliest possible time. The waiver and date of the planting deadline shall be recorded by the County Zoning Office.

G. Parking spaces within a parking lot shall be no more than 50 feet from a tree.

H. Nonconforming Landscaping. Premises which, when they were developed, were not required to be developed in accordance with the Landscaping and Buffer Landscaping Regulations Section of this ordinance, shall be made to conform with this regulation within two years due to the amendment of the map or text of this ordinance.

ANALYSIS:

Surrounding Land Use and Zoning

The site encompasses approximately 21.6 acres with only a small portion proposed to be utilized for asphalt and batch plant operation noted as items 16, 20, 21, 22, and 23 of the submitted site plan. The site itself is more than 75% percent vacant and currently houses a truck scale, an unoccupied construction trailer, a few stock piles and four storage trailers. The storage trailers are proposed to be utilized by the operation of the proposed asphalt and batch plant. Landscaping is installed along the north frontage of the property; however, a visual inspection revealed that some of the landscaping has died and will need to be replaced. This request is a continuance of a previously approved Special Use Permit for operation of an Asphalt and Cement Plant operation that to date has not been fully developed in accordance to the previously approved site plan.

The site is situated between two 5-acre tracts to the east and west that are currently vacant and zoned A-1. Directly contiguous to the south of the site exist vacant unplatted A-1 zoned land. This unplatted land is currently pursuing approval of the proposed Zacate Community Master Plan (SPR-50010). Westland Development has submitted correspondence supporting the use (Attachment 4), however, only supporting the use for a limited time. To the north and west of the subject site exist Special Use Permits for (1) a weather radar antenna, (2) for drilling and production of hydrocarbons and (3) trailer, boat and RV storage.

Plans

This request appears to facilitate the Albuquerque/Bernalillo County Comprehensive Plan and the Southwest Area Plan in that the proposed request will be a locally owned development that promotes the creation of jobs and services and that will benefit area residents through community reinvestment.

Zoning Ordinance

The Bernalillo County Zoning Ordinance allows the proposed request through approval of Special Use Permits. It appears this request is consistent with Resolution 116-86 in that the proposed use does not appear to have had a significant impact on adjacent properties.

Section 19.A.3.a of the Zoning Code requires a landscaped setback along all streets of no less than 20 feet. A visual view of the site revealed that the 20-foot buffer exists; however, some of the landscaping has died (trees) and there appears to be no ground cover within the buffer.

Agency Comments

Environmental Health has expressed concern regarding water and wastewater issues. The applicant has met with Environmental Health to work out a plan specifically to meet

requirements for providing the needed water and wastewater to the portion of the site plan that is currently planned to commence operation.

Public Works previously approved a grading and drainage plan for the entire site; however, it did not include extensive land use; therefore, they are requesting a revised grading and drainage prior to any development on the site.

Public Works has noted that this site is subject to the National Pollution Discharge Elimination System and that a Storm Water Pollution Prevention Plan is required prior to any development.

The Zoning Enforcement Manager has commented that the conditions of approval have not been met; however, after going over the previous conditions of approval with the applicant, staff and a visual view of the site, it appears that the conditions have been met with the exception of the landscaping, approximately 20% of the trees that need to be replaced.

Analysis Summary

Zoning	
Resolution 116-86	Consistent with the Albuquerque/Bernalillo County Comprehensive Plan in that the continuance of a locally owned and operated business will provide services needed by the local residents.
Plans	
Comprehensive Plan	The request fulfills goals of the Albuquerque/Bernalillo County Comprehensive Plan of encourages locally-owned and operated industry that provides services and reduces the need to travel.
Southwest Area Plan	Consistent with Policy 43 of the Southwest Area Plan in that the proposed use will benefit Area Plan residents through community reinvestment efforts such as providing employment to local residents and a competitive business atmosphere.
Other Requirements	
Environmental Health	Requiring submittal of the water and wastewater facilities plan.
Public Works Division	Revised drainage plan for any additional development on this site and submittal of a Storm Water Pollution Prevention Plan.

Conclusion

This site has been given continuous approval for the operation of an Asphalt and Batching Plant since (approximately) 1995 and this is the third renewal of the Special Use Permit. The applicant is requesting a renewal of the Special Use Permit for the entire site even though a small portion of the site is currently proposed to be utilized for the operation of a batch plant. The applicant is working with the Office of Environmental Health to clear up the water and wastewater issues. The applicant has also been informed that a portion of the landscaping has died (trees) and should approval be granted the dead landscaping will need to be replaced and maintained in addition to planting additional vegetation and ground cover within the 20 foot landscape buffer on the north side of the property to meet the coverage requirements called for in the Zoning Ordinance.

The proposed request appears to facilitate the Albuquerque/Bernalillo County Comprehensive Plan and the Southwest Area plan in that the proposed request will be a locally-owned development that promotes the creation of jobs and services and that will benefit area residents through community reinvestment. The request is not in significant conflict with Resolution 116-86 in that the proposed use does not appear to have had a significant impact on adjacent properties. The applicant has contacted the adjoining neighbors and there has been no objections received with this request.

The Environmental Health issues and the providing of landscaping along the north property line should be addressed prior to the approval.

RECOMMENDATION:

Deferral of CSU-60027

Adella Gallegos,
Associate Program Planner

BERNALILLO COUNTY DEPARTMENT COMMENTS

Environmental Health:

1. Existing wastewater system on-site needs an "Operators Permit" from the Office of EH.
2. Existing well on-site is not permitted with the Office of EH. Applicant submitted to the Area Planner information for a well permit. However, this well is on property with the UPC # - 100305525531510101 and this parcel is not included in this application submittal. The well on-site needs to be permitted, water analysis, drilling log, and all other associated requirements of the Well Ordinance.
3. Provide a description of any mechanical repairs and fueling activities conducted on-site to any vehicles and equipment. Provide specific information as to the location on-site where these activities occur, frequency of activity, who conducts the processes,
4. Provide a comprehensive disposal plan for all fluids generated as a result of repairs, fueling, oil changes etc. This includes all fluids that are contained on-site in unused containers, storage containers, spills onto the soil, empty dispensed containers, etc.
5. Obtain and provide to the Office of EH proof of COA Air Quality Div. permits for dust control.
6. Provide a dust control plan to the Office of EH.
7. Explanation and description of purpose for key notes #22 and #23. A groundwater and storm water pollution prevention protection plan is required.
8. Previous conditions of approval of the original Special Use permit have not been met per the Office of EH comments.

These are:

As a condition of approval of CSU-95-24, condition #4 has not been submitted or approved. Condition #4 : A hazardous materials and waste management plan shall be submitted to County Environmental Health for approval. The plan must address proper handling, storage and disposal of substances or products that pose a threat to groundwater.

The Drinking Water Well has not been permitted and inspected for approval as per conditions of approval to meet the Well Ordinance of Bernalillo County.

Fire:

No comment received

Zoning Administrator:

An asphalt batching plant is first referenced in the Zoning Ordinance as a conditional use in the M-1 zone, and as listed, is required to be enclosed by a solid wall/fence at least six

feet in height on all sides of the subject property abutting A-1, A-2, R-1, R-2, and M-H property.

SITE PLAN COMMENTS

Additional details and/or changes are needed for this proposal in order to meet current zoning requirements for the following:

1. Landscaping
 - a. the 20-foot landscape buffer on the north side of the property is of sufficient size to meet the applicable requirements, but should be modified to include additional vegetation such as shrubs and low-growing plants to meet the coverage requirements (75% within 2 years) - low-water use plantings are encouraged
 - b. ground cover is also needed in these areas; gravel or rock is recommended
 - c. the type of irrigation system to be used needs to be noted on the plan
 - d. the individual or parties responsible for the continued maintenance of the landscaping needs to be noted
2. Screening
 - a. a solid fence or wall, at least 6 feet in height, is needed to surround the entire property
3. Signage
 - a. a 32-foot freestanding sign has been referenced on the site plan near the entrance/exit. Elevation drawings showing the dimensions should be included.
4. Off-street parking
 - a. although this type of use is not specifically addressed in the parking requirements (Sec. 21), the ordinance does allow the ZA to make a determination for parking based on a similar type of use. Sec. 21.8 - manufacturing or industrial establishment - seems to most closely reflect this proposal
 - b. parking requirements dictate that 2 parking spaces for each 3 employees working on the maximum shift are required, and that all trucks, equipment and other similar vehicles used in connection with the activity are provided with dedicated parking areas. These spaces will need to be shown on the plan.
 - i. parking spaces are required to be surfaced with concrete or a bituminous material
 - ii. parking spaces for employee parking are required to be at least 8? feet wide by 20 feet in length
 - iii. parking spaces for trucks, equipment, etc. must be of sufficient size to accommodate the vehicle
5. Clarification
 - a. the provided plan references both existing and phased development on the site. As some of the "future" features of the property will require additional applications, review and approval prior to implementation (concrete batching, offices, accessory structures), it is recommended that the applicant submit a revised plan showing only the existing and approved uses and improvements.

COMMENTS RELATED TO THE USE

As compliance with established conditions and applicable zoning standards is critical to successful operation of a Special Use Permit, please defer to the Zoning Enforcement Office for any related comments concerning the existing use of the property.

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Zoning Enforcement Officer:

Must comply with below listed comments.

The special use that was granted has not met all the conditions. The landscaping is not existent, there are broken down trailers stored on the property and appears that no activity has taken place for a long period of time, based on previous inspections and reports.

Building Department Manager:

Building permits will be required for all proposed structures as a condition of approval.

Public Works:

DRAN:

1. A grading and drainage plan Case #PWD-95-150 was approved for this site and does not indicate extensive land use. Provide a revised grading and drainage plan for this proposed Special Use Permit request prior to any additional permits.
2. This property is also subject to the National Pollution Discharge Elimination System as required by the Bernalillo County Code chapter 38, Section 147. A Storm Water Pollution Prevention Plan (SWPPP) is required prior to any development.
3. A small portion of this property is encumbered by floodplain. This condition shall be noted on any subsequent grading and drainage plan.

DRE: No adverse comment.

Parks & Recreation:

No comment received

Sheriff's:

No comment received

COMMENTS FROM OTHER AGENCIES

MRGCOG:

No comment.

AMAFCA:

No comment received

City Planning Department:

Has no adverse comment.

City Public Works:

Transp. Planning: No comment.

Transp. Development: No adverse comments.

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Water Resources: Not applicable

City Transit: No ABQ Ride service is in the vicinity of this site.

ABCWUA Utility Development Section: No comment received

City Environmental Health:

No comment received

City Open Space:

Open space does not have any comments.

NM Department of Transportation

NMDOT needs more information regarding the amount of traffic generated at the site before we can make any comments on this case. (6/01/06) I have talked to Molly Sepulveda who is representing Apache Construction. I am satisfied that all my questions have been addressed and thus the NMDOT no longer has any comments on this case (6/06/06).

Albuquerque Public School:

The request for a renewal of a special use permit to continue the use of aggregated batching and manufacturing concrete hot mix at 16400 South Frontage Rd. SW will have no adverse impact to the APDS district.

NEIGHBORHOOD ASSOCIATIONS:

South Valley Coalition of Neighborhood Associations

South Valley Alliance of Neighborhoods

FINDINGS:

1. This is a request for renewal of a Special Use Permit for Asphalt and Batching Plant and a new Special Use Permit for a Contractor's Yard including vehicle maintenance on Tracts 181-186, Row 1, Unit B, located at 16400 S. Frontage Road SW, zoned A-1, containing approximately 21.6 acres.
2. The property is within the Reserve Area of the Albuquerque/Bernalillo County Comprehensive Plan.
3. The subject site has had approval of a Special Use Permit for Manufacturing of Asphaltic Concrete Hot Mix since 1995.
4. This request is consistent with Resolution 116-86 in that the land use is more advantageous to the community in that it encourages a locally-owned industry that complements residential areas and reduces the need to travel as articulated in Policies 3.g, 6.a, 6.b. & 6.g of the Albuquerque/Bernalillo County Comprehensive Plan.
5. This request is not in significant conflict with adopted element of the Southwest Area Plan in that it is a locally-owned operation that promotes the creation of jobs and services and that will benefit area residents through community reinvestment.
6. This request is consistent with the health, safety and general welfare of the residents of the County.
7. The Special Use Permit for a Specific use for Aggregate Batching and Manufacturing of Concrete Hot Mix (CZ-01-7) and a Special Use Permit for Manufacturing of Asphaltic Concrete Hot Mix (CSU- 95-24) are superceded by this Special Use Permit (CSU-60027).

Conditions of Approval:

1. The applicant shall submit a site plan that includes the proposed water and wastewater facilities, and associated information to the Bernalillo County Environmental Health Office.
2. Upon expiration of the Special Use Permit, the applicant shall restore the site to the approximate original contour and seed with native vegetation on suitable soil.
3. The applicant shall upgrade the existing landscaping to replace the dead trees and include additional vegetation such as shrubs and low-growing plants to meet the coverage requirements within the 20-foot landscape buffer.

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4. The applicant shall obtain from the City of Albuquerque Air Quality Div. Permits for the operation shall be submitted to the Zoning, Building, Planning and Environmental Health Department.
5. A Storm Water Pollution Prevention Plan (SWPPP) is required to be submitted to the Public Works Division and the Office of Environmental Health for review and approval prior to operating the asphalt batch plant. A copy of the plan shall be submitted to the Zoning, Building, Planning and Environmental Health Department.
6. The applicant shall comply with all applicable Bernalillo County ordinances and regulations.
7. The Special Use Permit shall be issued for (10) years.
8. A revised site development plan consistent with the Conditions of Approval shall be submitted for review to the Zoning Administrator within two months after the final Board of County Commissioners approval. The revised site plan shall consist of the following changes:
 - a) Include the type of irrigation system used under "Landscape Legend."
 - b) Include the parties responsible for the continued maintenance of the landscaping under "Landscape Legend."
 - c) Replace the Keyed Notes with the following:
 - 1.a. upon expiration of the Special Use Permit, the applicant shall restore the site to appropriate original contour and seed with native vegetation on suitable soil.
 1. Existing 6' chain link fence – no slats
 2. Future mobile hot mix plant
 3. Existing pond per drainage & grading plan, July 1995
 4. Mobile crusher facility
 5. Existing 1500' deep well
 6. 20' landscape buffer with irrigation (drip)
 7. Future 1200 s.f. Office w/parking
 8. Existing Driveway
 9. Existing Gate
 10. 15' gravel drive
 11. 4' x8' pole mounted sign – 16' high
 12. Existing deceleration lane per traffic impact study
 13. Existing pad mounted electrical transformer
 14. Existing 10,000 gallon water tank
 15. Existing truck weigh scale
 16. Concrete Batch Plant (Concrete Foundation)
 17. Equipment Moving Truck
 18. Existing Power Pole
 19. Existing Stored Culvert Material
 20. Existing 5 storage trailers
 21. Material Bays for Sand/Gravel
 22. Concrete Truck Wash Down Collection Bay
 23. Wash Bays Clean out area

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9. The foregoing Conditions shall become effective and shall be strictly complied with immediately upon execution or utilization of any portion of the right and privileges authorized by this Special Use Permit.